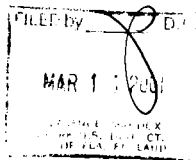


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6293-CR-FERGUSON/SNOW

UNITED STATES OF AMERICA, :
 :
 Plaintiff, :
 :
 v. :
 :
 TROY BROWN, et al., :
 :
 Defendants. :



DETENTION ORDER

Pursuant to 18 U.S.C. § 3142(f), on March 9, 2001, a hearing was held to determine whether the defendant **James Alce** should be detained prior to trial. Having considered the factors enumerated in 18 U.S.C. § 3142(g), this Court finds that no condition or combination of conditions will reasonably assure the appearance of this defendant as required and/or the safety of any other person and the community. Therefore, it is hereby ordered that the defendant **James Alce** be detained prior to trial and until the conclusion thereof.

In accordance with the provisions of 18 U.S.C. § 3142(i), the Court hereby makes the following findings of fact and statement of reasons for the detention:

1. The defendant is charged with conspiracy to possess with intent to distribute crack cocaine, in violation of 21 U.S.C.

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§ 846. Therefore, the defendant is charged with an offense involving a narcotic drug. 18 U.S.C. § 3142(g)(1).

2. The weight of the evidence against the defendant is substantial. Government witnesses will testify that the defendant was a member of an organization responsible for the sale of 30 grams of crack cocaine in the 1400 - 1600 blocks of N.E. 14th Avenue, Fort Lauderdale, Florida. Surveillance officers observed eight men selling crack cocaine during the time period of March - July, 2000. An undercover detective purchased crack cocaine from the defendant, and this transaction was videotaped and audiotaped.

The undercover operation was commenced in response to citizen complaints about crack cocaine sales in their neighborhood. There have been no such complaints since the time the defendant and his co-defendants were arrested. 18 U.S.C. § 3142(g)(2).

3. The pertinent history and characteristics of the defendant are that he was released on a personal surety bond, despite the Government's request for pretrial detention, in part because he is eighteen years old and is still in high school. Subsequent to the defendant's release on bond, he was arrested for possession of marijuana, and entered a plea of guilty to that offense. On a separate occasion, the defendant was arrested for possession of stolen property and failure to carry a driver's license. The defendant has demonstrated that he is unable to abide by the terms and conditions of any bond that could be set by this Court. 18 U.S.C. § 3148.

4. There is probable cause to believe the defendant conspired to possess with intent to distribute crack cocaine, an offense punishable by more than ten years under the Controlled Substances Act, 21 U.S.C. § 801, et seq. Accordingly, the defendant constitutes a danger to the community. 18 U.S.C. § 3142(g)(4).

5. The Court specifically finds that there are no conditions or combination of conditions which reasonably will assure the defendant's appearance as required and/or the safety of any other person and the community. 18 U.S.C. § 3142(e).

Based upon the above findings of fact, which were supported by clear and convincing evidence, the Court has concluded that this defendant presents a danger to the community, and unable to abide by the terms and conditions of bond. The Court hereby directs:

(a) That the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal;

(b) That the defendant be afforded reasonable opportunity for private consultation with counsel; and

(c) That, on order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is

confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE AND ORDERED at Fort Lauderdale, Florida, this 13th
day of March, 2001.


LURANA S. SNOW
UNITED STATES MAGISTRATE JUDGE

Copies to:

AUSA Bruce Brown (FTL)
Pretrial Services (FTL)
David Joffe, Esq.